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W.H. HOLDERNESS (1904-1965)
L.P. McLENDON (1890-1968)
KENNETH M. BRIM (1898-1974)
C.T. LEONARD, JR. (1929-1983)
CLAUDE C. PIERCE (1913-1988)
THORNTON H. BROOKS (1912-1988)
G. NEIL DANIELS (1911-1997)
HUBERT HUMPHREY (1928-2003)
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WRITER'S DIRECT DIAL

October 12, 2012

Via Electronic Comment Filing System

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

Re: WHDF(TV), Florence, AL (Facility ID 65128)
Request for Streamlined Financial Hardship Waiver,
Implementation of Commercial Advertisement Loudness
Mitigation (CALM) Act, MB Docket No. 11-93

Dear Ms. Dortch:

Our firm is counsel to Huntsville TV, L.L.C. ("Huntsville TV"), licensee of WHDF(TV), Florence, Alabama. By this letter, and pursuant to the streamlined processes adopted in the Commission's *Report and Order* issued December 13, 2011, in the above-captioned proceeding (the "*Order*"), Huntsville TV respectfully requests a waiver of the Commercial Advertisement Loudness Mitigation ("CALM") Act rules adopted therein for one year due to financial hardship.

Pursuant to the *Order*, “small broadcast stations” may request a waiver of the Commission’s CALM Act rules through a streamlined waiver process.¹ A “small broadcast station” is defined as a station (1) with no more than \$14 million in annual receipts, *or* (2) located in television markets 150 to 210.² Additionally, to qualify for a waiver under the streamlined process, an applicant must certify that it needs a delay of one year to obtain certain specified equipment in order to avoid financial hardship.³

Enclosed with this letter is the Certification of Dave Hanna, President of Huntsville TV, who certifies (1) that WHDF(TV) meets the Commission’s definition of a “small broadcast station” for the purposes of the streamlined financial hardship waiver process because, at all relevant times, Huntsville TV has less than \$14 million in annual receipts.⁴ Mr. Hanna further certifies that, to avoid financial hardship, Huntsville TV requires a one-year delay to obtain certain specified equipment necessary for WHDF(TV) to comply with the Commission’s CALM Act rules.

Accordingly, WHDF(TV) meets the definition of a “small broadcast station” and respectfully requests a waiver of CALM Act compliance for one year.

If any questions should arise during the course of your consideration of this matter, it is respectfully requested that you communicate with this office.

Respectfully submitted,

BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P.



Elizabeth E. Spainhour
Counsel to Huntsville TV, L.L.C.

Enclosure

¹ See *Implementation of Commercial Advertisement Loudness Mitigation Act*, Report and Order, FCC 11-182, ¶¶ 52-53 (2011).

² See *id.*, ¶ 53.

³ See *id.*, ¶ 52 & n. 226.

⁴ WHDF(TV) is licensed to Florence, Alabama, which is located in the Huntsville-Decatur DMA (Florence) (No. 80). See <http://www.nielsen.com/content/dam/corporate/us/en/public%20factsheets/tv/nielsen-2012-local-DMA-TV-penetration.pdf>.

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of the Commercial)	MB Docket No. 11-93
Advertisement Loudness Mitigation (CALM))	
Act)	

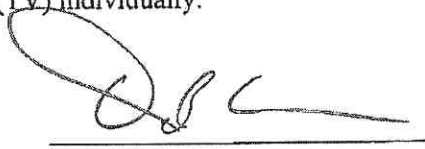
Certification of Dave Hanna

I, Dave Hanna, hereby certify as follows:

1. I am the President of Huntsville TV, L.L.C. ("Huntsville"), licensee of WHDF(TV), Florence, Alabama. I have held this position since 2004.
2. Huntsville TV is a for-profit corporation that airs general entertainment programming to its local viewers in the Huntsville-Decatur (Florence) Designated Market Area.
3. During the calendar year 2011, Huntsville TV had less than \$14 million in annual receipts. Huntsville TV anticipates that it will have less than \$14 million in annual receipts for both the 2012 and 2013 calendar years.
4. To avoid financial hardship, which would compromise Huntsville TV's mission to air community-responsive programming of interest to its viewers, Huntsville TV requires a waiver of the Commission's CALM Act rules for one year to allow it to obtain the necessary equipment to comply with the rules.
5. Attached as Exhibit 1 is an estimate provided by Digital Video Group Inc. listing in detail the equipment WHDF(TV) requires to comply with the Commission's CALM Act rules. Several items are required to be used jointly by WHDF(TV) and two other commonly owned stations that are also requesting waivers, WBXX-TV, Crossville, Tennessee, and WQCW(TV),

Portsmouth, Ohio. These include item numbers 3RUFRM, 5020, 5030, AVEPC, and 9690. Item numbers 7660 and 9670 are required by WHDF(TV) individually.

10/11/12
Date

A handwritten signature in black ink, appearing to read 'Dave Hanna', written over a horizontal line.

Dave Hanna
President
Huntsville TV, L.L.C.



Digital Video Group Inc.
8529 Meadowbridge Rd.
#100
Mechanicsville, VA 23116

Quotation

Date	Quote#
10/8/2012	DVG12-2407

Name / Address	Ship To
LBG 3914 Wistar Road Richmond VA 23228	LBG Broadcast Operations 3914 Wistar Road Richmond, VA 23228 Attn: Bob Pectelidis #804.672.6565

P.O. No.	Terms	Salesman	Account #	FOB	Project
	Net 20	DBT		OriginPPD&add	
Item	Description	Qty	Cost	Total	
3RUFM	Ensemble Avenue 3RU Frame (accepts any 10 modules)	1	932.82	932.82	
5020	Ensemble 5020 Avenue Redundant Power for 3RU	1	420.94	420.94	
5030	Ensemble Avenue 3RU System Control Module	1	700.00	700.00	
AVEPC	Avenue PC Control Software	1	234.40	234.40	
7660	Ensemble 7660, Avenue HD/SD AES or Analog Audio Embedder/Disembedder	4	2,250.00	9,000.00	
9670	Ensemble Designs 9670, Avenue Audio AGC - Software License	4	750.00	3,000.00	
9690	Ensemble Designs 9690, Avenue Audio Compliance Monitoring Software for use with 7660, 9600, 7555, 9550	1	398.45	398.45	
SHIPPING	Shipping & Handling	1	65.00	65.00	
				Subtotal	\$14,751.61
All warranties as per manufacturer's written warranties. Digital Video Group, Inc. retains title to all equipment until final payment is made. All returns are subject to restocking fee. No returns without return authorization number. By signing below, I and/or the above listed company agree to purchase the above listed equipment/services from Digital Video Group, Inc. Price does not include shipping charges.				Sales Tax (0.0%)	\$0.00
				Total	\$14,751.61

Accepted By: _____

Phone #	Fax #	E-mail	Web Site
804-559-8850	804-559-0017	sales@digitalvideogroup.com	www.digitalvideogroup.com